


UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

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WESTERN DISTRICT OF MICH
By 

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES ALBERT SCOTT,

Defendant.

No. **1 : 05 CR 0181**
Hon. **Gordon J. Quist**
U.S. District Judge

INDICTMENT

The Grand Jury charges:

COUNT ONE

Sexual Exploitation of a Child

On or about June 25, 2004, in Kalamazoo County, in the Western District of Michigan,
Southern Division, the defendant,

JAMES ALBERT SCOTT,

used, persuaded, induced, and enticed a minor to engage in sexually explicit conduct for the
purpose of producing visual depictions of such conduct and which were produced using materials
which had been shipped and transported in interstate and foreign commerce.

Specifically, the defendant engaged in oral sex and attempted sexual intercourse with a
six-year-old girl; and produced digital images of himself and the girl engaging in oral sex and

attempted sexual intercourse, and images of the naked girl. The Sony-brand digital camera was manufactured outside of the State of Michigan.

18 U.S.C. § 2251(a) and (e)

18 U.S.C. § 2256

COUNT TWO

Sexual Exploitation of a Child

On or about November 12, 2004, in Kalamazoo County, in the Western District of Michigan, Southern Division, the defendant,

JAMES ALBERT SCOTT,

used, persuaded, induced, and enticed a minor to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct and which were produced using materials which had been shipped and transported in interstate and foreign commerce.

Specifically, the defendant engaged in oral sex with a six year-old girl; and produced digital images of himself and the girl engaging in oral sex and images of the naked girl. The Sony-brand digital camera was manufactured outside of the State of Michigan.

18 U.S.C. § 2251(a) and (e)

18 U.S.C. § 2256

COUNT THREE

Distribution of an Image of a Minor Engaging in Sexually Explicit Conduct

On or about July 7, 2004, in Kalamazoo County, in the Western District of Michigan, Southern Division, the defendant,

JAMES ALBERT SCOTT,

knowingly and unlawfully distributed a visual depiction that was shipped and transported in interstate commerce by computer, the production of the depiction involved the use of a minor engaging in sexually explicit conduct and the visual depiction was of such conduct.

Specifically, the defendant sent an E-mail that included an attachment, Picture 144.jpg. That image depicts a six-year-old girl performing oral sex on the defendant.

18 U.S.C. § 2252(a)(2) and (b)(1)

18 U.S.C. § 2256

COUNT FOUR

Distribution of Images of a Minor Engaging in Sexually Explicit Conduct

On or about July 8, 2004, in Kalamazoo County, in the Western District of Michigan,
Southern Division, the defendant,

JAMES ALBERT SCOTT,

knowingly and unlawfully distributed visual depictions that were shipped and transported in interstate commerce by computer, the production of the depictions involved the use of a minor engaging in sexually explicit conduct and the visual depictions were of such conduct.

Specifically, the defendant sent an E-mail that included two attachments, Picture 142.jpg. and Picture 145.jpg. Those images depict a six-year-old girl holding the defendant's penis and the defendant performing oral sex on the child.

18 U.S.C. § 2252(a)(2) and (b)(1)

18 U.S.C. § 2256

COUNT FIVE

Distribution of an Image of a Minor Engaging in Sexually Explicit Conduct

On or about September 13, 2004, in Kalamazoo County, in the Western District of Michigan, Southern Division, the defendant,

JAMES ALBERT SCOTT,

knowingly and unlawfully distributed a visual depiction that was shipped and transported in interstate commerce by computer, the production of the depiction involved the use of a minor engaging in sexually explicit conduct and the visual depiction was of such conduct.

Specifically, the defendant sent an E-mail that included an attachment, Picture 136.jpg. That image depicts the defendant attempting sexual intercourse with a six-year-old girl.

18 U.S.C. § 2252(a)(2) and (b)(1)

18 U.S.C. § 2256

COUNT SIX

Possession of Images of Minors Engaging in Sex

On or about June 9, 2005, in Kalamazoo County, in the Southern Division of the Western District of Michigan, the defendant,

JAMES ALBERT SCOTT,

did knowingly and unlawfully possess matter containing visual depictions, the production of which involved the use of minors engaging in sexually explicit conduct and which visual depictions were of such conduct, and which were produced using materials which had been shipped and transported in interstate and foreign commerce.

Specifically, the defendant used one or more computers, with components manufactured outside the State of Michigan, to store those images on one or more hard drives and CD-ROMs.

The images include, but are not limited to, one or more of the following:

1. 001.jpg;
2. 002.jpg;
3. 003.jpg;
4. 004.jpg;
5. 005.jpg;
6. 006.jpg;
7. 007.jpg;
8. 008.jpg;
9. 009.jpg;
10. 010.jpg;
11. 011.jpg;
12. 013.jpg;
13. 129.jpg;
14. 130.jpg;
15. 131.jpg;
16. 132.jpg;
17. 133.jpg;
18. 134.jpg;
19. 135.jpg;

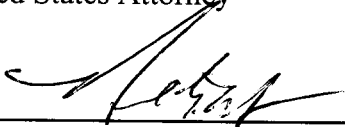
- 20. 136.jpg;
- 21. 137.jpg;
- 22. 138.jpg;
- 23. 139.jpg;
- 24. 140.jpg;
- 25. 141.jpg;
- 26. 142.jpg;
- 27. 143.jpg;
- 28. 144.jpg; and
- 29. 145.jpg.

18 U.S.C. § 2252(a)(4)(B) and (b)(2)
18 U.S.C. § 2256

A TRUE BILL


GRAND JURY FOREPERSON

MARGARET M. CHIARA
United States Attorney


DANIEL Y. MEKARU
Assistant United States Attorney